

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE M. ALEXANDER,)	
)	
Plaintiff,)	
)	
)	
v.)	Civil Action No. 05-248J
)	Judge Gibson
)	Magistrate Judge Caiazza
FEDERAL BUREAU OF PRISONS,)	In Re: Doc. 8
et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

The Plaintiff's complaint was received by the Clerk of Court on May 9, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on May 22, 2006, recommended that the Moving Defendants' Motion For Summary Judgment be granted in part and denied in part. It should be granted with respect to the Plaintiff's claims against the Federal Bureau of Prisons. It should likewise be granted with respect to Plaintiff's claims based upon his disciplinary charge and sanctions. The Motion should be denied, however, with respect to his claims relating to the conditions of confinement during his stay in the Special Housing Unit. Finally, the Plaintiff's claims that relate to his use of a telephone and typewriter are dismissed, *sua sponte*, because he has failed to state a claim

upon which relief can be granted.

The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail and on the Defendants. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 9th day of June, 2006,

IT IS HEREBY ORDERED that the Moving Defendants' Motion For Summary Judgment is GRANTED in part and DENIED in part. It is GRANTED with respect to the Plaintiff's claims against the Federal Bureau of Prisons and GRANTED with respect to Plaintiff's claims based upon his disciplinary charge and sanctions.

IT IS FURTHER ORDERED that the Motion is DENIED with respect to his claims relating to the conditions of confinement during his stay in the Special Housing Unit.

IT IS FURTHER ORDERED that the Plaintiff's claims that relate to his use of a telephone and typewriter are DISMISSED, *sua sponte*, because he has failed to state a claim upon which relief can be granted.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 15), dated May 22, 2006, is adopted as the opinion of the court.

June 9, 2006

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is stylized with a large, looped "K" and "G".

Kim R. Gibson
U.S. District Court Judge

cc:

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Megan E. Farrell
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